

STAFF REPORT

SUBJECT: Legislative Update

FROM: Jennifer Yeamans, Senior Grants, Project Management & Contract Specialist

DATE: October 24, 2017

Action Requested

Receive an informational update on 2017 State and Federal legislative activities of interest to LAVTA.

Background

On February 6, 2017, the Board of Directors approved LAVTA's 2017 Legislative Program to guide staff and the Board for legislative issues to support, watch and monitor, stay neutral, or oppose. **Attachment 1** provides a detailed summary of the status of key legislation LAVTA has followed throughout this year's legislative sessions in Washington and Sacramento as well as positions taken by LAVTA on bills of interest.

Discussion

Several state bills sponsored or supported by LAVTA have been signed by the Governor; most are set to be enacted beginning January 1, 2018. Highlights include:

- AB 758 (Eggman) which will establish the Tri-Valley–San Joaquin Valley Regional Rail Authority.
- AB 1113 (Bloom) which will provide a permanent and restorative fix to the allocation of State Transit Assistance funds to LAVTA and other transit agencies by the State Controller's Office.
- AB 1444 (Baker) which will authorize LAVTA to conduct a shared autonomous vehicle demonstration project in the city of Dublin.
- SB 1 (Beall and Frazier) which will raise new state revenues for roads, highways, and transit beginning November 1, 2017.
- SB 595 (Beall) which will authorize the Metropolitan Transportation Commission to place a measure on the ballot asking voters to approve a toll increase on the Bay Area's state-owned bridges to fund congestion relief projects in bridge corridors.

Recommendation

None — information only.

Attachments:

1. 2017 Legislative History

**Legislative History
2017–18 Session
October 17, 2017**

STATE					
Bill	Current Text	Status	Description	Related LAVTA Legislative Agenda Goal or Principle	LAVTA Position
<u>AB 1</u> (Frazier)	Introduced 12/5/2016	Assembly Transportation	Transportation funding. Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.	Enhance Future Transportation Funding Investments	
<u>AB 17</u> (Holden)	Amended 9/1/2017	Vetoed 10/15/17	Transit Pass Program: free or reduced-fare transit passes. Would, upon the appropriation of moneys from the Public Transportation Account by the Legislature, create the Transit Pass Pilot Program to be administered by the department to provide free or reduced-fare transit passes, directly or through a 3rd party, including a transit agency, to specified pupils and students by supporting new, or expanding existing, transit pass programs. The bill would require the department to develop performance measures and reporting requirements to evaluate the effectiveness of the program, and would require the department to submit a report to specified committees of the Legislature on or before January 1, 2020, on the outcomes of the program and the status of transit pass programs statewide. The bill would provide that its requirements become effective only upon an appropriation that would trigger the creation of the program. The pilot program would be repealed on January 1, 2022.	Enhance Future Transportation Funding Investments	

AB 96 (Ting)	Amended 5/31/2017	Assembly Budget	Budget Act of 2017. This bill would make appropriations for the support of state government for the 2017–18 fiscal year.	Protect Existing Transportation Funding Sources	
AB 151 (Burke)	Amended 5/2/2017	Assembly Inactive	California Global Warming Solutions Act of 2006: market-based compliance mechanisms: scoping plan: report. Would require the State Air Resources Board to report to the appropriate policy and fiscal committees of the Legislature to receive input, guidance, and assistance before adopting guidelines and regulations implementing the scoping plan and a regulation ensuring statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. This bill contains other related provisions and other existing laws.	Protect Existing Transportation Funding Sources	
AB 399 (Grayson)	Amended 3/23/2017	Assembly 2 Year	Autonomous vehicles: Contra Costa Transportation Authority: pilot project. Current law, until 180 days after the operative date of regulations promulgated by the Department of Motor Vehicles to allow testing of autonomous vehicles without a driver, authorizes the Contra Costa Transportation Authority to conduct a pilot project for the testing of autonomous vehicles that do not have a driver seated in the driver’s seat and are not equipped with a steering wheel, a brake pedal, or an accelerator if the testing is conducted only at specified locations and the autonomous vehicle operates at speeds of less than 35 miles per hour. This bill would extend the authorization for the pilot project to 12 months after the operative date of regulations promulgated by the department	Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership	
AB 623 (Rodriguez)	Amended 7/5/2017	Senate Appropriations	Autonomous vehicle testing: accident reporting. Would require the operator of an autonomous vehicle who is involved in an accident that results in damage to the property of any one person in excess of \$1,000, or in bodily injury, or in the death of a person, to make that report. The bill would require a traffic collision report prepared by a member of the Department of the California Highway Patrol or any other peace officer to specify if an autonomous vehicle was involved in the traffic collision in any manner.	Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership	
AB 673 (Chu)	Amended 5/15/2017	Chaptered 7/24/17	Public transit operators: vehicle safety requirements. Would require a public transit operator, before placing a new bus into revenue operations, to take into consideration recommendations of, and best practices standards developed by, the exclusive representative of the recognized organization representing bus operators of the transit operator for the purpose of protecting bus operators from the risk of assault from persons and by removing blind spots. By creating new duties for public transit operators, this bill would impose a state-mandated local program.	Enhance Operating Conditions to Support Safety and Performance Goals	

AB 758 (Eggman)	Amended 9/8/2017	Chaptered 10/13/17	Transportation: Tri-Valley–San Joaquin Valley Regional Rail Authority. Would establish the Tri-Valley-San Joaquin Valley Regional Rail Authority for purposes of planning, developing, and delivering cost effective and responsive transit connectivity between the Bay Area Rapid Transit District’s rapid transit system and the Altamont Corridor Express commuter rail service in the Tri-Valley, that meets the goals and objectives of the community, as specified. The bill would require the authority’s governing board to be composed of 15 representatives and would require the authority by July 1, 2019, to provide a project feasibility report to the public on the plans for the development and implementation of transit connectivity and to submit that report upon completion to specified entities.	Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership	Support
AB 1113 (Bloom)	Amended 6/20/2017	Chaptered 7/21/17	State Transit Assistance program. Would revise and recast the provisions governing the State Transit Assistance program. The bill would provide that only STA-eligible operators, as defined, are eligible to receive an allocation from the portion of program funds based on transit operator revenues. The bill would provide for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator, as defined.	Protect Existing Transportation Funding Sources	Support
AB 1444 (Baker)	Amended 6/20/2017	Chaptered 10/12/17	Livermore Amador Valley Transit Authority: demonstration project. Would authorize the Livermore Amador Valley Transit Authority, in accordance with substantially similar conditions to existing law applicable to the Contra Costa Transportation Authority, to conduct a shared autonomous vehicle demonstration project for the testing of autonomous vehicles that do not have a driver seated in the driver’s seat and are not equipped with a steering wheel, a brake pedal, or an accelerator, as specified. This bill contains other existing laws.	Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership	Support
AB 1640 (Garcia, E.)	Introduced 2/17/2017	Assembly 2 Year	Transportation funding: low-income communities. Would require, beginning January 1, 2020, each regional transportation improvement program to allocate a minimum of 25% of available funds to projects or programs that provide direct, meaningful, and assured benefits to low-income individuals who live in certain identified communities or to riders of transit service that connects low-income residents to critical amenities and services. The bill would require the Department of Transportation, in consultation with residents of low-income communities and specified state agencies, to adopt guidelines for this allocation no later than January 1, 2018.	Protect Existing Transportation Funding Sources	

ACA 4 (Aguiar-Curry)	Introduced 2/17/2017	Assembly Local Government	Local government financing: affordable housing and public infrastructure: voter approval. Would reduce the local vote threshold for approval of bond and special tax measures, including for public transit, from two-thirds to 55%.	Enhance Future Transportation Funding Investments	Support
SB 1 (Beall)	Amended 4/3/2017	Chaptered 4/28/2017	Transportation funding. Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. This bill contains other related provisions and other existing laws.	Enhance Future Transportation Funding Investments	Support
SB 145 (Hill)	Amended 9/12/2017	Chaptered 10/12/17	Autonomous vehicles: testing on public roads. Current law requires the Department of Motor Vehicles to notify the Legislature if it receives an application from a manufacturer seeking approval to operate an autonomous vehicle capable of operating without the presence of a driver inside the vehicle. Current law prohibits such an application from becoming effective any sooner than 180 days after that application is submitted. The bill would require the department to provide public notice when it adopts the autonomous vehicle regulations, would repeal the 120 day prohibition against limiting or expanding the authority to operate autonomous vehicles, and instead would prohibit the department from approving an application submitted pursuant to the regulations until 30 days after public notice of the adopted regulations is provided.	Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership	
SB 369 (Hertzberg)	Introduced 2/14/2017	Senate 2 Year	Autonomous vehicles. Current law authorizes the operation of an autonomous vehicle on public roads for testing purposes by a driver who possesses the proper class of license for the type of vehicle being operated if specified requirements are met. Current law defines an “autonomous vehicle: for this purpose as any vehicle equipped with autonomous technology that has been integrated into that vehicle. This bill would specify that a vehicle equipped with a collision avoidance system, as specified, that is not capable of driving the vehicle without a human driver remaining fully engaged in the driving task is not an autonomous vehicle.	Leverage Support from and with Partners to Promote Mobility, Improve Service Productivity, and Enhance Regional Leadership	

<p>SB 595 (Beall)</p>	<p>Amended 9/8/2017</p>	<p>Chaptered 10/10/2017</p>	<p>Metropolitan Transportation Commission: toll bridge revenues: BART Inspector General: Santa Clara Valley Transportation Authority: high occupancy toll lanes The bill would require the City and County of San Francisco and the other 8 counties in the San Francisco Bay area to conduct a special election on a proposed increase in the amount of the toll rate charged on the state-owned toll bridges in that area to be used for specified projects and programs. The bill would require the Bay Area Toll Authority to select the amount of the proposed increase, not to exceed \$3, to be placed on the ballot for voter approval. If approved by the voters, the bill would authorize BATA, beginning six months after the election approving the toll increase, to phase in the toll increase over a period of time and to adjust the toll increase for inflation after the toll increase is phased in completely. The bill would specify that, except for the inflation adjustment and as otherwise specified in statute, the toll schedule adopted pursuant to the results of this election may not be changed without the statutory authorization of the Legislature. By requiring this election, the bill would impose a state-mandated local program.</p>	<p>Enhance Future Transportation Funding Investments</p>	<p>Support</p>
<p>SB 614 (Hertzberg)</p>	<p>Amended 7/17/2017</p>	<p>Chaptered 9/1/2017</p>	<p>Public transportation agencies: administrative penalties. Current law authorizes a public transportation agency to adopt and enforce an ordinance to impose and enforce civil administrative penalties for certain passenger misconduct on or in a transit facility or vehicle. Current law requires these penalties to be deposited in the general fund of the county in which the citation is administered. This bill would instead require the penalties to be deposited with the public transportation agency that issued the citation.</p>	<p>Enhance Future Transportation Funding Investments</p>	
<p>SCA 6 (Wiener)</p>	<p>Amended 5/1/2017</p>	<p>Senate Appropriations</p>	<p>Local transportation measures: special taxes: voter approval. Would require that the imposition, extension, or increase by a local government of a special tax as may otherwise be authorized by law, whether a sales or transactions and use tax, parcel tax, or other tax for the purpose of providing funding for transportation purposes be submitted to the electorate by ordinance and approved by 55% of the voters voting on the proposition. The measure would authorize an ordinance submitted to the voters for approval under these provisions to provide, as otherwise authorized by law, for the issuance of bonds payable from the revenues from the special tax.</p>	<p>Enhance Future Transportation Funding Investments</p>	<p>Support</p>

FEDERAL

Bill	Current Text	Status	Description	Related LAVTA Legislative Agenda Goal or Principle	LAVTA Position
HR 100 (Brownley)	Introduced 1/3/2017	House Transp & Infrastructure	Support Local Transportation Act. Increases share of Surface Transportation Block Grant Program that is suballocated on the basis of population from 55% to 65% by fiscal year 2020.	Enhance Future Transportation Funding Investments	
HR 127 (Green)	Introduced 1/3/2017	House Transp & Infrastructure	Transit for Veterans. Amends 5307 to mandate operators discount peak fares for veterans.	Protect Existing Transportation Funding Sources	
HR 891 (Meadows)	Introduced 2/6/17	House Transp & Infrastructure	Federal Transit Modernization Act of 2017. Repeals requirements that condition certain financial assistance for public transportation projects upon employee protective arrangements approved by the Secretary of Labor.		
HR 904 (Lipinski)	Introduced 2/24/17	House Oversight & Gov't Reform and other Committees	Buy American Improvement Act of 2017. Changes the Buy American Act, standardizes requirements and waiver notices, and expands Buy America provisions for existing grant programs, including transportation grant programs.		
HR 932 (Ellison)	Introduced 2/7/17	House Transp & Infrastructure	MOVE Act. Directs the Department of Transportation (DOT) to issue regulations necessary to establish performance measures relating to multimodal transportation connectivity and accessibility for states and metropolitan planning organizations to use to assess the connectivity and accessibility of roadways, public transit infrastructure, pedestrian and bikeway infrastructure, and other transportation infrastructure.	Protect Existing Transportation Funding Sources	
HR 1458 (Blumenauer)	Introduced 3/9/17	House Ways & Means	RAISE IT Act. Increases the federal excise tax on gasoline and diesel fuel to 33.3 cents and 39.3 cents, respectively.	Enhance Future Transportation Funding Investments	

HR 1664 (DeFazio)	Introduced 3/23/17	House Transp & Infrastructure and Ways & Means	Investing in America: A Penny for Progress Act. Amends the Internal Revenue Code of 1986 to index the gas and diesel tax and rebuild our roads, bridges, and transit systems. Authorizes the Secretary of the Treasury to issue "Invest in America" bonds and distributes the resulting revenue through the Highway and Transit Trust Funds to highway and transit programs authorized in the Fixing America's Surface Transportation Act. Sets aside revenues to proportionately increase funding to the Capital Investment Grants program.	Enhance Future Transportation Funding Investments	
S 181 (Brown)	Introduced 1/20/17	Senate Homeland Security and Gov't Affairs	Expand Buy America provisions to ensure federal public works and infrastructure projects use manufactured products and commodity construction materials produced in the United States.		